

FILED
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APR 05 2019

Clerk, U.S. District Court
District Of Montana
Missoula

**FOR THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA MISSOULA DIVISION**

Eduardo Enrique Vallejo, Pro se,

Re:

LSF9 MASTER PARTICIPATION

TRUST, et al

Defendant(s).

) **MONT. CASE 9:17-CV-00172-DLC-JCL**
)
) **MOTION AND APPEAL SEEKING**
) **PERMISSIVE INTERVENTION UNDER**
) **FED.R.CIV.P. 24(b)(1)(B).**

DATE : APRIL 1, 2019

PLEASE TAKE NOTICE that on April 1, 2019 Mr. Eduardo Vallejo, appearing pro se, requested permission from the Court to intervene in this case, but it was denied.

Mr. Vallejo now files this Motion and Appeal seeking permissive intervention under Fed.R.Civ.P. 24(b)(1)(B). He has a claim pending in the Ninth Circuit Court of Appeals, that he shares with the main action, and a common question of law or fact, regarding the same Defendant as in this case, the **LSF9 Master Participation Trust**. Discovery has now been granted in the present case.

The Defendant is a Statutory Trust registered in the State of Delaware, whose domicile is Delaware, and whose registered agent for process of service is U.S. Bank Trust National Association, 300 Delaware Avenue, 9th Flr., Wilmington, DE 19801.

Mr. Vallejo filed for Bankruptcy protection in California in May of 2016, and Defendant alleges it purchased Mr. Vallejo's loan from Fannie Mae. On the other hand, Mr. Vallejo has evidence (see Exhibit 1) that Fannie Mae owns his loan since 2005. To date there has been no assignment recorded on the Title of Mr. Vallejo's property by Fannie Mae assigning it to the Defendant LSF9 Master Participation Trust.

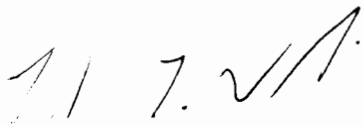
Case number: 17-00172

Therefore, a common question of law or fact exists, regarding whether the same Defendant as in this case, the LSF9 Master Participation Trust, along with Fannie Mae, can simultaneously own and collect funds at the same time using the same documents, the deed of trust/mortgage, and an unsecured, unrecorded, non negotiable instrument known as a promise to pay?

Therefore, in the interest of judicial economy and not have to repeat discovery, Mr. Vallejo appeals to the Court to Grant this motion for permissive intervention to join this case against the same Defendant, to be able to more easily obtain copies of discovery and other information, Documentation, and evidence regarding the Defendant to use in his own Appeal presently pending before the Ninth Circuit Court of Appeals in California

Respectfully submitted, this 2nd day of April of 2019.

Dated: April 2, 2019

A handwritten signature in black ink, appearing to read 'E. Vallejo' with a stylized flourish at the end.

/s/ EDUARDO ENRIQUE VALLEJO

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January 3, 2019

Sent Via U.S. Mail

Mr. Edward Vallejo
508 North California Street
Burbank, CA 91505

Re: *Vallejo v. U.S. Bank et al.*, No. 18-60060

Dear Mr. Vallejo:

Pursuant to your request, this letter shall confirm that Fannie Mae acquired your loan on January 1, 2005.

Also, we understand that on December 17, 2018 you sent email correspondence directly to Fannie Mae. As we explained in our October 15, 2018 cease and desist letter, our firm has been retained to represent Fannie Mae and *any* communication you wish to send to Fannie Mae must proceed through our office. Our office is not authorized to accept service of any documents on Fannie Mae's behalf, but should you wish to communicate with Fannie Mae in the future, please ensure that you direct those communications to my office and *not* to Fannie Mae directly.

Thank you for your courtesy and cooperation in regard to this matter.

Very truly yours,



Kerry W. Franich